

Yarra Ranges Shire Council

Instrument of Delegation for Bushfire Reconstruction Applications under the Planning and Environment Act 1987

by

The Chief Executive Officer

October 2021

Instrument of Delegation by CEO for Bushfire Reconstruction Applications under the Planning and Environment Act 1987

In exercise of the power conferred by s 47(2) of the Local Government Act 2020 and s 188 of the Planning and Environment Act 1987, I, as Chief Executive Officer of Yarra Ranges Shire Council and the responsible authority for considering and determining planning permit applications to which cl 52.10-2 of the Yarra Ranges Planning Scheme applies, by this Instrument of Delegation -

- 1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
- 2. records that references in the Schedule to:

BSO	means Business Support Officer (business unit identified in brackets where relevant)
DPDD	means Director Planning, Design and Development
EOPS	means Executive Officer Planning Services
EOSP	means Executive Officer Strategic Planning
MPB	means Manager Planning and Building
MDP	means Manager Design & Place
MSP	means Manager Strategic Projects
PO	means all Planning Officers (business unit identified in brackets where relevant) and includes
	the Subdivisions Officer
PMSP	means Project Manager Strategic Planning
(PS)	means Planning Services Team
(SP)	means Strategic Planning Team
SPÓ	means Senior Planning Officer and Senior Subdivisions Officer and also includes all Band 6
	and Band 7 Officers (includes Principal Planning Officer and Special Projects Officer) in the
	Planning Unit
TLPO	means Team Leader Planning and also includes all Band 7 Officers in the Planning Unit

- declare that this Instrument of Delegation -3.
 - (a) comes into force immediately upon its execution;
 - (b) remains in force until varied or revoked; and
 - (c) is subject to any conditions and limitations set out in paragraph 4, and in the Schedule;
- declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 188 Planning and Environment Act 1987 or otherwise.

This Instrument of Delegation is dated 4 October 2021 and is made by the Chief Executive Officer.

Signed by the Chief Executive Officer of Council in the presence of:)	400
Shannon Woodward Witness		Alwoodward

INDEX

PLANNING AND ENVIRONMENT ACT 1987	. 1
PLANNING AND ENVIRONMENT REGULATIONS 2015	. 9
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	10

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	1 Column 2 Column 3 Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s50(4)	Duty to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s50(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s50(6)	Duty to make note of amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, PO, SPO, TLPO, BSO	
s50A(1)	Power to make amendment to application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s50A(4)	Duty to note amendment to application in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s51	Duty to make copy of application available for inspection in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s52(1A)	Power to refuse an application	MPB, MDP, MSP, EOPS, EOSP or PMSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s52(3)	Power to give any further notice of an application where appropriate	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s53(1A)	power to require the applicant to give the notice under s 52(1AA)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: Notice requirements under s 52(1)(a), (b) and (d) are exempt Other notice requirements apply
s54(1)	Power to require the applicant to provide more information	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 – 59.16 of the planning scheme
s54(1A)	duty to give notice in writing of information required under s 54(1)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	Note: delegates cannot require an applicant to provide more information than what is listed in schs 59 – 59.16 of the planning scheme
s54(1B)	Duty to specify the lapse date for an application	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s54A(3)	Power to decide to extend time or refuse to extend time to give required information	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, PO, SPO	
s54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	The new lapse date must be included in the written notice of decision under subsections (5) and (6)
s55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s57(2)	Function to receive an objection	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57(3)	Function of receiving name and address of persons to whom notice of decision is to go	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s57A(5)	Power to refuse to amend application	MPB, MDP, MSP, EOPS, EOSP, PMSP	
s57A(6)	Duty to note amendments to application in register	MPB, MDP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s57B(1)	Duty to determine whether and to whom notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PO	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57B(2)	Duty to consider certain matters in determining whether notice should be given	MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, PO	A decision to not give notice must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
s57C(1)	Duty to give copy of amended application to referral authority	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s58	Duty to consider every application for a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s58A	Power to request advice from the Planning Application Committee	DPDD, MPB, MDP, MSP	
s60(1)(a)	Duty to consider the relevant planning scheme	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1)(b)	Duty to consider the objectives of planning in Victoria	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1)(d)	Duty to consider any decision and comments of a referral authority which has been received	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1)(e)	Duty to consider any significant effects which it considers the use or development may have on the environment or which it considers the environment may have on the use or development	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s60(1)(f)	Duty to consider any significant social effects and economic effects which it considers the use or development may have	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1A)(a)	Power to consider certain matters before deciding on application any significant social and economic effects of the use or development for which the application is made	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1A)	Duty to consider other relevant matters	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.
			A decision to refuse to issue a permit must only be exercised by MPB, MDP, MSP, EOPS, EOSP or PMSP
			Decision must be dual signed by PO and Delegate.
s61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP	Must only be exercised in a manner consistent with the delegations applicable to s 61 decisions.
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	-	Not applicable – no coastal land in the Municipality
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP	
s62(1)	Duty to include certain conditions in deciding to grant a permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s62(2)	Power to include other conditions	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO	
s63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s64(5)	Duty to give each objector a copy of an exempt decision	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	Note: Bushire reconstructions applications are exempt from requirements of s 64(1), (2) and (3)
			This provision applies also to a decision to grant an amendment to a permit - see s 75

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1 Column 2 Column 3 Column 4			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	This provision applies also to a decision to grant an amendment to a permit - see s 75A	
s65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		
s66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		
s66(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant a permit in the specified circumstances, and include any conditions to which the permit will be subject	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority	
s66(4) & (5)	Duty to give a recommending referral authority notice of its decision to refuse to grant a permit in the circumstances specified, and include the information required under s 66(5)	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit	
s66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit	
s69(1)	Function of receiving application for extension of time of permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		
s69(1A)	Function of receiving application for extension of time to complete development	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s69(2)	Power to extend time	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	A decision to extend the time of a permit under a 3rd request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO.
			A decision to extend the time of a permit under a 4 th or subsequent request must only be exercised by the MPB, MDP, MSP, EOPS, EOSP or PMSP.
			Power to refuse to extend time must only be exercised by the DPDD, MPB, MDP, MSP, EOPS, EOSP or PMSP
s70	Duty to make copy permit available in accordance with public availability requirements	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s71(1)	Power to correct certain mistakes	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	A mistake made by an individual officer must only be corrected by a different officer.
s71(2)	Duty to note corrections in register	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s73	Power to decide to grant amendment subject to conditions	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.
			Decision must be dual signed by PO & Delegate.
s74	Duty to issue amended permit to applicant if no objectors	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s76A(2) & (3)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit in the circumstances specified, and include any conditions to which the permit will be subject	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s76A(4) & (5)	Duty to give a recommending referral authority notice of its decision to refuse to grant an amendment to a permit in the circumstances specified, and include the information required under s 76A(5)	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s76D	Duty to comply with direction of Minister to issue amended permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s83	Function of being respondent to an appeal	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO, SPO, TLPO, PO	The DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP or TLPO may appoint a consultant or legal representative to represent Council at a proceeding
s83B	Duty to give or publish notice of application for review	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, TLPO	Must only be exercised in a manner consistent with the delegations applicable to Section 61 decisions.
s84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	MPB, MDP, MSP, EOSP, PMSP, SPO, TLPO, PO, BSO	
s84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s84(6)	Duty to issue permit on receipt of advice from presidential member of the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	
s84AB	Power to agree to confining a review by the Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO	
s86	Duty to issue a permit at order of Tribunal	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO	

PLANNING AN	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DPDD		
s90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, BPCO, SPO, TLPO, PO	The DPDD, MPB, MDP or MSP may appoint a consultant or legal representative to represent Council at a proceeding.	
s91(2)	Duty to comply with the directions of VCAT	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, EOUDLA, BPCO, SPO, TLPO, PO, BSO		
s91(2A)	Duty to issue amended permit to owner if Tribunal so directs	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		
s92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PO, BSO		
s93(2)	Duty to give notice of VCAT order to stop development	MPB, MDP, MSP, EOPS, EOSP, PMSP, EODC, SPO, TLPO, PO, BSO		

PLANNING AND ENVIRONMENT REGULATIONS 2015				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS	
r21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	MPB, MDP, MSP, EOPS, EOSP, PMSP, SPO, TLPO, PO, BSO		

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DPDD, MDP, MSP, EOPS		
r21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DPDD, MPB, MDP, MSP, EOPS, EOSP, PMSP		